



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of  
KIRT E. WHITESIDE  
Serial No. 09/780,603  
Filed February 12, 2001  
For MECHANIC'S CREEPER

Group Art Unit 3618

Jeffrey J. Restifo, Examiner

CERTIFICATE OF MAILING

I hereby certify that this correspondence was deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
on this 5th day of December 2003

Norma J. Payette, Secretary to Edward G. Greive

TERMINAL DISCLAIMER

COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

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GROUP 3600

I, **Edward G. Greive**, represent that I am the attorney of record for the Applicant in the above-captioned application and am registered to practice before the Patent and Trademark Office. The Applicant has assigned their entire interest to Whiteside Mfg. Co. by virtue of an Assignment recorded at Reel/Frame 011546/0902 on February 12, 2001.

The terminal part of the statutory term of any patent granted on the above-captioned application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. § 154 and 156 and 173 of United States Patent Application No. 09/523,469, as presently shortened by any statutory disclaimer, is hereby disclaimed, except as provided below. It is agreed that any patent so granted on the above-captioned application shall be enforceable only for, and during, such period that the legal title to such granted patent shall be the same as the legal title to United States Patent Application No. 09/523,469. This agreement runs with any patent granted on the above-captioned application and is to be binding upon the grantee, its successors, or assigns.

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Docket No. WHS.P0018A

In making the above disclaimer, Disclaimant does not disclaim the terminal part of any patent granted on the above-captioned application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. § 154 to 156 and 173 of United States Patent Application No. 09/523,469, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee; is held unenforceable; is found invalid by a court of competent jurisdiction; is statutorily disclaimed in whole or terminally disclaimed under 37 CFR § 1.321; has all claims canceled by a reexamination certificate; is reissued; or is, in any manner, terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title as stated above.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that the statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon

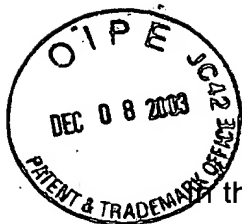
The statutory \$55.00 fee for a disclaimer is enclosed.

In the event that the enclosed fee is not sufficient, the Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 18-0987.



Edward G. Greive  
Reg. No. 24,726 /

December 5, 2003



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on this 5<sup>th</sup> day of December 2003

*Norma J. Payerle*  
Norma J. Payerle, Secretary to Edward G. Greive

**TRANSMITTAL SHEET**

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Enclosed are the following documents:

Amendment D - Response to final Rejection with attached Certificate of Mailing

Terminal Disclaimer with attached Certificate of Mailing

Check in the Amount of \$55.00

Request for Extension of Time with attached Certificate of Mailing

Check in the Amount of \$210.00

Appeal Brief with attached Certificate of Mailing (in triplicate)

Check in the Amount of \$165.00

Return Receipt Postcard

**In the event that the enclosed fee is not sufficient, the Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 18-0987.**

Respectfully Submitted,

*Edward G. Greive*

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December 5, 2003